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September 8, 2010

VIA ECF

Honorable Robert M. Levy
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: **Garcia et al v. K.G.B. Contracting Corp. et al.**
09 Civ. 00393 (NGG)(RML)

Dear Judge Levy:

This firm is legal counsel to Plaintiffs in connection with the above-referenced wage and hour action. I write on consent of Defendants' counsel, and in furtherance of Your Honor's July 12, 2010 Order requiring the submission of a case management status report.

To date, all discovery has been completed, including party depositions. With respect to possible resolution of this action, the parties have already exchanged certain information to help foster settlement. In addition, I have had numerous telephone and in-person conferences with Defendants' counsel regarding possible settlement. Despite good faith efforts, to date, our settlement positions remain far apart. As such the parties will appear on September 24, 2010 for the previously scheduled settlement conference.

Thank you.

Respectfully submitted,

/s/LLOYD AMBINDER

cc: Giuseppe Franzella, Esq. (via ECF)